

AN ORDINANCE

99090

AMENDING THE CITY CODE TO PROHIBIT PEDDLING IN THE PUBLIC RIGHT-OF-WAY AND ON CITY-OWNED PROPERTY IN A DEFINED AREA SURROUNDING THE SBC CENTER; DESIGNATING THE PHYSICAL BOUNDARIES OF THE PROPERTY COVERED BY THIS ORDINANCE; AND PROVIDING FOR CRIMINAL PENALTIES TO BE IMPOSED FOR A VIOLATION OF THIS ORDINANCE WITH A FINE NOT TO EXCEED \$500.00, AS REQUESTED BY COUNCILMAN JOEL WILLIAMS, DISTRICT 2.

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WHEREAS, the SBC Center is home to the San Antonio Spurs Basketball Team and hosts major sporting and concert events and other gatherings; and

WHEREAS, the increasing levels of pedestrian and vehicular traffic during these events and the significant volume of sales of tangible goods and services on public rights-of-way and City property have been a mounting cause for concern that must be addressed in order to protect the public's safety; and

WHEREAS, based on event traffic information collected and documented by City staff, there is a significant amount of traffic congestion in the SBC Center area; and

WHEREAS, City Council finds that in high-traffic areas, such as the area surrounding the SBC Center, individuals peddling on public right-of-ways and City-owned property can be disruptive to residents, businesses and patrons and can discourage, block or inhibit the free passage of pedestrian and vehicular traffic; and

WHEREAS, pursuant to the City's powers as a Home Rule Municipality, it is in the best interest of the City to prohibit peddling in a defined area surrounding the SBC Center to preserve the health and safety of all citizens, visitors, and participants; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The following language shall be inserted into Chapter 16 "Licenses and Business Regulations," Article IX "Peddlers, Hawkers, Canvassers, and Solicitors" of the City Code as Section 16-240:

Notwithstanding anything in this Section to the contrary, it shall be unlawful for any person to peddle, canvass or solicit or cause or permit to be peddled, canvassed or solicited any tangible property

or services in the public right-of-way or on City-owned property within the defined area surrounding the SBC Center.

SECTION 2. The geographic boundaries of the area covered by this prohibition shall consist of the area surrounding the SBC Center described and bounded as follows: the area beginning at the 3000 block of E. Commerce; thence eastward on E. Commerce to Coca Cola Dr.; thence northward on Coca Cola Dr. to E. Houston St.; thence westward on E. Houston St. to N. Walters St.; thence northward on N. Walters St. to N. Edgar Dr.; thence northward on N. Edgar Dr. to Pullman; thence eastward on Pullman to N. Walters; thence northward on N. Walters to the IH 35 northbound access road; thence eastward on the IH 35 northbound access road to SBC Center Pkwy.; thence southward on SBC Center Pkwy to E. Houston St.; thence westward on E. Houston St. to Coca Cola Dr.; the area beginning at the 3130 block of E. Commerce; thence eastward on E. Commerce to E. Houston St.; thence westward on E. Houston St. to SBC Center Pkwy.; and the area beginning at the 100 Block of Gemblar Rd.; thence eastward on Gemblar Rd. to Paulson. This prohibition shall encompass the entire area of the boundary streets and all public rights-of-way and City-owned property which are adjacent to or abut the boundary streets described. A map of the area encompassed by this Ordinance is attached hereto and incorporated herein as Exhibit 1.

SECTION 3. Any person who violates the language in Section 1 will be subject to having all tangible property related to the violation immediately removed and may be subject to prosecution for a Class C misdemeanor and a fine not to exceed \$500.00.

SECTION 4. The City Clerk of the City of San Antonio, Texas is hereby directed to publish the caption of this Ordinance for one (1) day in the official newspaper of the City of San Antonio, Texas, as authorized by Article II, Section 17 of the Charter of the City of San Antonio.

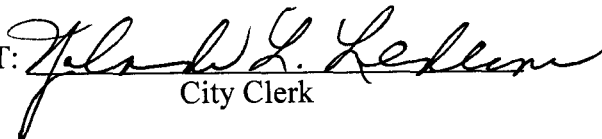
SECTION 5. This Ordinance shall be effective on April 16, 2004, upon its passage by eight (8) affirmative votes.

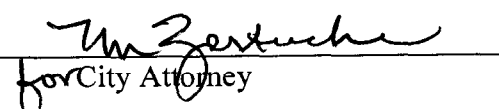
PASSED AND APPROVED this 15th day of April 2004.



M A Y O R

EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney